

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CARROLLTON FAMILY CLINIC, LLC, a Mississippi Limited Liability Company, and PERRIN CURRAN, M.D., an individual,

Plaintiffs,

v.

ECLINICALWORKS, LLC, a Delaware Limited Liability Company,

Defendant.

Case No. 1:17-cv-12530-RGS

**FIFTH JOINT STATUS REPORT REGARDING ARBITRATION**

Pursuant to the Court's May 17, 2018 Electronic Order directing the parties to file regular status reports regarding their arbitration proceedings, the parties hereby file this joint report.

Following the Court's March 29, 2018 Order granting eClinicalWorks, LLC's Motion to Compel Arbitration, the parties entered into an Agreed Arbitration Protocol concerning the applicable rules and procedures for arbitration. The parties have appointed former United States District Judge David F. Levi to serve as arbitrator and FedArb as the administrator of the arbitration, which shall be conducted in accordance with rules that have been agreed among the parties. The arbitration has commenced, and all parties are working in good faith to proceed with arbitration.

Dated: February 8, 2019

Respectfully Submitted:

By: /s/ John Roddy  
John Roddy, BBO # 424240  
BAILEY GLASSER LLP  
99 High Street, Suite 304  
Boston, MA 02110  
Telephone: (617) 439-6730  
Fax: (617) 951-3954  
jroddy@baileyglasser.com

Jonathan D. Selbin (admitted *pro hac vice*)  
John T. Nicolaou (admitted *pro hac vice*)  
LIEFF CABRASER HEIMANN & BERNSTEIN LLP  
250 Hudson Street, 8<sup>th</sup> Floor  
New York, NY 10013  
Telephone: (212) 355-9500  
Fax: (212) 355-9592  
jselbin@lchb.com  
jnicolaou@lchb.com

Mark P. Chalos (admitted *pro hac vice*)  
LIEFF CABRASER HEIMANN & BERNSTEIN LLP  
222 Second Avenue, South, Suite 1640  
Nashville, TN 37201  
Telephone: (615) 313-9000  
Fax: (615) 313-9965  
mchalos@lchb.com

Brett A. Ialacci (admitted *pro hac vice*)  
BADHAM & BUCK LLC  
2001 Park Place North, Suite 500  
Birmingham, AL 35203  
Telephone: (205) 521-0036

*Attorneys for Plaintiffs*

By: /s/ James R. Carroll  
James R. Carroll (BBO #554426)  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
500 Boylston Street  
Boston, Massachusetts 02116  
(617) 573-4800  
james.carroll@skadden.com

Jessica D. Miller (admitted *pro hac vice*)  
Geoffrey M. Wyatt (admitted *pro hac vice*)  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
1440 New York Avenue, N.W.  
Washington, D.C. 20005  
jessica.miller@skadden.com  
geoffrey.wyatt@skadden.com

*Counsel for Defendant*  
eClinicalWorks, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on February 8, 2019, I filed a copy of the foregoing by electronic means with the United States District Court for the District of Massachusetts using the CM/ECF system, which will send notification to counsel of record.

By: */s/John Roddy*  
John Roddy